

**MINUTES OF THE  
TOWN COUNCIL  
MEETING OF  
GARDEN CITY, UTAH**

The Garden City Town Council held their regularly scheduled meeting on Thursday, January 14, 2016 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Mayor Spuhler opened the meeting at 5:05 p.m.

Town Council Members present:

John Spuhler, Mayor  
Pat Argyle  
Darin Pugmire  
Chuck Stocking  
Bruce Warner

Others Present:

Kathy Hislop  
Riley Argyle  
Bob Peterson  
Zan Murray  
Anita Weston  
Randall Knight  
Jim Wise  
Joey Stocking  
Cindy McLaughlin  
Richard Drosbecke  
Wayne Early  
Mike Stuart  
Bobbie Coray  
Howard Pope  
Larry Bywater  
Vicky Nielson  
Greg Nielson  
Tiffany Walhberg  
Rebecca Moldenhauer

**PLEDGE OF ALLEGIANCE AND PRAYER**

The pledge of allegiance was led by Mayor Spuhler and the prayer was offered by Council Member Pugmire.

## **ROLL CALL**

Mayor Spuhler asked for a roll call of Council Members present: Mayor Spuhler, Council Member Argyle, Council Member Pugmire, Council Member Stocking, and Council Member Warner.

## **OATH OF OFFICE FOR PATRICIA ARGYLE AND DARIN PUGMIRE**

The oath of office was administered to Council Member Argyle and Council Member Pugmire, they were sworn into office as Town Council Members for a 4 year term.

## **APPROVAL OF MINUTES**

Minutes of the Town Council Meeting held on December 10, 2015

Council Member Pugmire made the motion to approve the minutes of the regular Town Council meeting held on December 10, 2015 . Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

## **BUSINESS LICENSE DISCUSSION/APPROVAL**

Bear Lake Condo Rentals, request to conduct a property management and short term rental business in Garden City, 10 S Bear Lake Blvd. Joseph Stocking

Mr. Joey Stocking explained that he will be a property management company for short term rentals.

Council Member Argyle made the motion to approve the business license application for Bear Lake Condo Rentals as it has been proposed and meets all the requirements. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Business Catalyst Group, request to conduct a marketing, management, and website consulting business in Garden City, 10 S Bear Lake Blvd. Joseph Stocking

Mr. Stocking explained that this would be a general marketing business for anybody. It will be mostly digitally marketing but it can be for creating logo's, etc.

Council Member Warner made the motion to approve the business license application for Business Catalyst Group, sponsored by Joseph Stocking. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

A Step Up Cleaning Company, LLC., request to conduct a cleaning company in Garden City. Heidi Muirbrook

Council Member Pugmire made the motion to approve the business license application for A Step Up Cleaning Company, LLC, as it has been submitted. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Digital Analysis, LLC. DBA Inteliquant, request to conduct an online technical consulting business at 69 N Paradise Parkway. Darren Caldwell

Council Member Argyle made the motion to approve the business license application for Digital Analysis, LLC, for Darren Caldwell at 69 N. Paradise Parkway. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

**SHORT TERM RENTAL APPLICATION**

920 N Newberg Pl. #3, Darren & Marlene Brewster/Owners, Bear Lake Project Management

The Council Members reviewed the short term rental application. Council Member Stocking suggested that we get a better detailed floor plan and one that is more accurate.

Council Member Argyle made the motion to approve the short term rental application for 920 N Newberg Pl. #3, Darren & Marlene Brewster/Owners, with Bear Lake Project Management, with the contingency that they draw a picture that is more accurate than what was submitted. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

**PUBLIC COMMENTS**

There was more discussion regarding broadband for Garden City, which was discussed during the special meeting at 3:30 p.m.

Mayor Spuhler said the first thing we need to do is create an ordinance that requires developers to at least put conduit in the ground. Then we could meet with Centracom to work out a contract at a reasonable rate.

Council Member Stocking said that until the incentive changes from copper to fiber there is no incentive for them to offer us a good deal, but we need to get the infrastructure in place so when it changes they have the incentive to put the pipe in. It is just a pipe, that is prepared for fiber.

## **PUBLIC HEARING**

The Public Hearing was opened at 6:00 p.m.

## **ROLL CALL**

Mayor Spuhler asked for a roll call of Council Members present: Mayor Spuhler, Council Member Argyle, Council Member Pugmire, Council Member Stocking, and Council Member Warner.

**Discussion Regarding the Proposed Annexation** The proposed annexation area includes all property on the lake side of Hwy 89/Bear Lake Blvd, from 41-16-00-022 through and to include Lakota Estates Subdivision, 41-16-00-024, 41-16-00-025, Little Switzerland Subdivision, and Swan Creek Spring Subdivision.

Mayor Spuhler explained why the Council is looking into this proposed annexation. He said that it will be the decision of the property owners if they want to annex or not. Mayor Spuhler said that we see Garden City as a community that shares common things. Families come and enjoy what Garden City has to offer, but we have bigger plans and we would like to include the people in the area to help. We are stronger as a unified group to make it even better.

The Council showed the power point presentation regarding the proposed annexation and the benefits that Garden City has to offer. Mayor Spuhler explained that the annexation is ultimately up to the property owners.

A property owner in Daisy Bay stated that the property owners in that subdivision are not interested in annexing.

It was explained that a letter will be sent to every property owner explaining the annexation process. We will need a return approval from each property owner if they are in favor of the annexation. If we don't receive anything back from the property owner it will be counted as a no vote.

One of the concerns with annexing into Garden City is the garbage can ordinance. A property owner in Daisy Bay said that they leave their garbage can out all week, they have no way to get their garbage can put away after it is dumped. The Council Members explained options to get the garbage can put away. Mayor Spuhler said that we should all be respectful of each other. It's not respectful to leave your garbage can out all week.

Ms. Coray said that if they annex they can run for office.

Mr. Mike Stuart said that he doesn't see a benefit for annexing into Garden City. He said that he understands that if he wants to use the city infrastructure then he should have to pay the extra to use the pool, the rec center, etc. He said that he is having a hard time seeing the benefit of the annexation.

The annexation area was discussed, and the state requirement that it has to be contiguous to the city limits, and that we can't create an island with the annexation.

Council Member Argyle explained that we have had people come to the city asking to be annexed to the city, that is what started this project at this time. It will be up to the property owners to decide if they want to be annexed or not.

Mayor Spuhler said that we are just making this available to the public to determine if they are in favor of the annexation or not.

Council Member Warner said that we appreciate all the people that come to visit here and all the people that live here that are not in our city. We have a lot of things that we have to plan for in the future that impact everyone, and if we are all working together and citizens of the same city it feels different. He said that he would like to work with everyone as the city. The question is do you want to join our city, do you want to participate in our planning process, do you want to vote here, etc. That is the primary decision that they need to make.

Mayor Spuhler said that we are a community that is compassionate both to the people inside and outside of the city limits. We try to serve everyone and we try not to be too punitive.

Mr. Richard Driesbecke said that the State Marina doesn't pay property tax but they do collect sales tax, some of which would go back to Garden City. They would be subject to the city ordinances if they were annexed. Discussion ensued about what part of the marina could be annexed and what part is sovereign lands, which can't be annexed. That would have to be looked into to answer that question.

Mayor Spuhler thanked everyone for coming to the public hearing and thanked them for their comments.

The Public Hearing was closed at 7:15 p.m.

### **DISCUSSION REGARDING PROPOSED ANNEXATION DESCRIBED UNDER PUBLIC HEARING**

The Council discussed moving forward on this project. The public hearing notice went out to approximately 200 property owners. The Council agreed to move forward to see what response we get back from the property owners.

Council Member Warner made the motion to move forward with the annexation to the next phase and send out the letters to the property owners. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

**REPORT AND APPROVAL OF THE GARDEN CITY FINANCIAL REPORT FOR FISCAL YEAR JULY 1, 2014 – JUNE 30, 2015, Tiffany Wahlberg, CPA**

Ms. Wahlberg presented the financial report for Garden City for fiscal year July 1, 2014 through June 30, 2015. She explained the required changes made to the financial report. She explained that there were transfers made between funds leaving a deficit in 2 funds. We will make a change, by motion, to fix the deficit.

Ms. Wahlberg stated that there are no funds or line items that are over expended. We have corrected that in the budget from previous years.

Ms. Wahlberg explained the changes to the Utah Retirement System requirements, which is outlined in the financial report.

Council Member Pugmire made the motion to approve the annual financial report for fiscal year 2014-2015. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

**MISCELLANEOUS ITEMS**

**Review/Approval of Insurance proposal from Heiners Insurance Center and Olympus Insurance**

Mr. Peterson said that we need to table this until next month because we are waiting for 1 more company to get their proposal back to us. We have 3 companies bidding on the insurance. Mr. Peterson said that the bidding has been a good process and good for us to know what we are covered for.

**Credit Card Policy review/approval**

This new policy is because of the requirements associated with the audit report. This policy follows what we can do to store credit card numbers, we must keep them in a locked file.

Council Member Pugmire made the motion to approve the new credit card policy as it is written. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

**Payroll Procedure Policy review/approval**

This policy is because we are required to have a written policy. It is written the same way we have done payroll for years.

Council Member Warner moved to approve the new policy. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire,

for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

### Billing Policy & Procedure

Mr. Peterson explained that new policy explains the billing procedure as we have done it in the past. He explained that the change is to the red tags. The policy now allows us to charge for red tags. The Council Members discussed what the fee would be for the water user when they get to the red tag stage. The Council Members decided to give a 1 month grace period for the first month, \$50 for the second month, and \$100 each month after that, all within a 12 month period.

Council Member Warner made the motion to approve the new charges for the red tags. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

### Discussion/Approval to hire Bond Council for the rec center project

Council Member Stocking explained that they talked to Mr. Crandall about getting a bond for the rec center. He can provide guidance, as bond council, to help get through the bond requirements. He will get all the figures for the bond. The upfront cost is \$5,000 for the marketing proposals and the details on the bond.

Right now we just need approval to spend the \$5,000 for the bond council, so we get the figures that we need to know.

Council Member Pugmire suggested we have a vote before we spend this money. Mayor Spuhler said that we really need the figures so we know how much this will cost each person or property owner.

Council Member Stocking made the motion to use \$5,000 to hire Mr. John Crandall's firm to look into the bond for the rec center. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried. Council Member Argyle said that it is more than just the bond, it will include the presentation.

### **COUNCIL MEMBER REPORTS**

#### Council Member Stocking:

He reported that there have been some issues with the boiler at the pool. He said that they are working on this and will have it resolved soon. The swimming lessons are going well.

Ms. Ward has bought a few things that are needed for the water aerobics.

There haven't been any issues yet with the increase in the pool fees for people that don't live in the Garden City town limits.

The computers are up and going at the library.

Council Member Pugmire

He said he will meet with the County next Tuesday on the gun range. They are still working on the Memorandum of Understanding.

He said that we are still on the STIP for 3<sup>rd</sup> west in 2018. There will be some cost on us when this road is built so we need to plan for those costs.

He said that he will try to work on the 350 S. between 1<sup>st</sup> west and 3<sup>rd</sup> west.

Council Member Warner

He said he didn't have anything to report this month.

Council Member Argyle

She said that we paid the \$1,000 deposit for the fireworks during Raspberry Days, which is half the charge.

She asked about moving forward on the flag pole. The Council decided to move forward on just the flag pole and the flag, and wait on everything else. Mr. Peterson said that he will write another grant next year for the rest of the flag pole project.

She asked if we want to spend more money on the entertainment for Raspberry Days. Last year we spent about \$5,000. Mayor Spuhler said that Council Member Argyle needs to look at the budget to see if there are any extra funds that can be spent.

Mayor Spuhler

He said that he has been working with Mr. Peterson on a lot of projects. He said that there are a lot of things moving forward in the town.

**PAYMENT VOUCHERS**

Council Member Pugmire made the motion to pay the vouchers. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

**ADJOURNMENT**

There being no further business to discuss Council Member Stocking made the motion to adjourn the meeting at 8:50 p.m. Council Member Argyle seconded the motion. A roll call vote was



taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

APPROVED:

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John Spuhler, Mayor

Attest:

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Kathy Hislop, Town Clerk